

E 458

.4

.C95

Copy 1

8²⁵

LIBRARY OF CONGRESS.

Chap. E 458 Copyright No.
Shelf C95.

UNITED STATES OF AMERICA.

Clark U.S. Court

THE
FORTRESS
OF THE
REBELLION:

WITH A BRIEF
VINDICATION OF THE CONSTITUTION

2540
5034
~~~~~  
BY O. R. L. CROZIER.  
~~~~~

"Not that I loved Cesar less, but that I loved Rome more."

~~~~~  
SECOND EDITION, REVISED AND ENLARGED.  
~~~~~

315-59

GRAND RAPIDS, MICHIGAN.

Per 1864.

E458
14
C95

Entered, according to Act of Congress, in the year 1864, by
O. R. L. CROZIER,
In the Clerk's Office of the District Court of the United States for the
Western District of Michigan.

PRICE :

Ten cents single copy—\$5 00 per hundred.
For gratuitous distribution, \$3- 00 per hundred.

PREFACE.

THE present year is charged with duties such as no other year has been. Our nation is to crush the most monstrous rebellion known to history ; and, at the same time, elect a Chief Magistrate, involving, perhaps, an entire change of the national policy. The task will be easily and honorably performed if we address ourselves to it with the steady courage of intelligent freemen. The nation wants faith in itself—in its principles, and in its ability to sustain them. Let us do bravely right, and the God of justice will give us victory. That the following pages may contribute somewhat toward these ends, is the desire of their

AUTHOR.

GRAND RAPIDS, MICH., February, 1864.

SENTIMENT PROPOSED.

WILL the reader please allow me to suggest, as our abiding and controlling sentiment :

OUR COUNTRY, WITH ITS INSTITUTIONS OF FREEDOM, AGAINST ALL ITS ENEMIES FROM WITHIN OR FROM WITHOUT ! a blessing of priceless value to man, the defense of which, with any amount of treasure or life it may cost, is the undoubted duty of every one who finds protection under its noble banner ; that against the folly, or imbecility, or crime of any and all men, in high or low places, that shall seek or tend to jostle it from the foundations on which our fathers placed it, we will steadily oppose whatever of influence or power we possess ; that these foundations are the Inalienable Rights of ALL MEN to " Life, Liberty, and the Pursuit of Happiness ;" and that whoever will repair our shattered Government on these foundations—whatever his party relations or antecedents—shall have our hearty support.

THE FORTRESS OF THE REBELLION.

THE CAUSE.

DURING the first year of the war, few stated its cause alike. Now there is no difference of opinion. All admit that slavery was its cause, an admission which our pride of consistency and our craven vassalage to the slave power would not allow us to make, until we had been compelled to measure swords with that power and had found ourselves its superior. Having fondled it in the lap of state, until its humored ambition arrogated to itself our entire purse and authority, and had slapped us in the face for our refusal, it was natural that we should seek to cover our folly with various excuses for its impertinence. There being, at length, an agreement as to the cause of the war, let us look at

THE SOURCE OF OUR ERROR.

“O wad some power,” &c.

Slavery, to reach its purpose, could not appear as first cause ; but wilily thrusting the Federal Constitution between itself and the American people, it enshrined its ugliness in the sacred reverence we bear for the founders of our Government ; and dema-

gogues were not wanting, either in pulpit or forum, to affirm, on the authority of Paul and Blackstone, that the *ass was a real lion* ! Taking advantage of our respect for law and order, and the general ignorance of the constitution, the deception was easy. As long ago as nullification times, the priests of slavery found it necessary to provide against a national conscience and the nimble energies of freedom. Hence the doctrine of the Calhoun school :

That the constitutional guaranties of state rights were such as to forbid the interference of the General Government with slavery in the states !

This doctrine, conceived in treason and promulgated on purpose to make slavery perpetual and dominant in the nation, soon crystalized into a national policy. Politicians swore by it ; political conventions built their platforms on it ; political editors, of every party hue, wrote gravely in its defense ; and, imbued with it, the whole Government went down in abject service to the slave power. We meekly forgot that we had any "Southern brethren" besides the lords of the whip, the bludgeon, the bowie knife, and the revolver—the whippers of women and the sellers of babies—and, as a fraternal duty, deferred to them in their grasping demands ; shut our ears against mercy, truth, justice, and courted shame and future ruin for present quiet. The national conscience rallied feebly at Philadelphia in 1856, and declared slavery a "twin relic of barbarism," but it subsided, four years later, at Chicago, into nearly its wonted passiveness, and vowed immunity to slavery within the states, with the provision affirmed that it should go no further, and. im-

plied, that it should not break up the Union. Mr. Lincoln was chosen as the exponent of this timid, unearnest, confused national conscience. We had gone down from 1856 to the level of his Whiggish conservatism, and it is not from him that we are not still groveling in that same slough. The nation, in conscience and intelligence, has ascended far above it, though its energies have been severely taxed to drag him and his Administration along. They, still bewildered by the fallacy of their old creeds, have seemed determined to cling to the mud and filth of our pre-rebellion degradation. We will, however, give them this credit, that one of them, at least, loathes it; some of them do not like it; that they deserve commiseration quite as much as censure; but, as a whole, they have kept too close company with copperheads and rebels, thinking, perhaps, the nearer they were the less they would be hurt, and having to learn, by a slow and painful process, that force is the best conciliator of the pimps of slavery and the enemies of just government. If their design had been to maintain a semblance of our former abjection to the slave power and make a return to it after the war easy, discrimination against the slave and his race, would have been the way to do it. These few out of many facts have a bad look in that direction. If a review of them shall be unpleasant to their authors, it is hoped they will spare us the pain and cost of their repetition:

1. Mr. Seward virtually affirmed it at Gettysburg.
2. Their border-state policy—persistently patronizing the pro-slavery party in Missouri; enrolling free negroes, and not slaves, though the law

of Congress did not so discriminate, and though Judge Bond, of Maryland, in a most able protest, demonstrated that to be just the way to perpetuate slavery in that state ; and, in general, favoring gradual as against immediate emancipation, and encumbering even that with the slaveholder's favorite project of colonizing the free blacks. 3. The neglect of proper effort to improve the tone of the Supreme Court, and the gratuitous laying of the whole anti-slavery action of the Government at its pro-slavery feet, as if inviting its negation. 4. The utter disregard, for the first year and a half of the war, of the rights of the slaves, though they were known to be unanimously and intensely loyal, even compelling our soldiers to the degradation of returning them to their rebel masters to be used to defeat our armies, and, at the same time, guarding the property of those masters. 5. The repulsive treatment, even to the present time, not of slaves only, but also of free colored men, beginning with the refusal of their services in any capacity, then admitting them to the menial work of our armies, but denying them arms, exposing them, when we abandoned them, as we sometimes did, to be shot down by the rebels or dragged off into slavery ; declining colored troops when offered without cost of enlistment and equipment ; finally accepting colored men as privates, with the express understanding that they could not be promoted to office, paying them no bounty and but *seven* dollars a month instead of *thirteen* paid white soldiers, though the President, in his last Annual Message, says, " It is difficult to state that they are not as good soldiers as any"—all this saying to

the black man, as plainly as actions can, "We do not want your aid, and do not mean to give you liberty and justice if we can possibly avoid it!" 6. The firm repression of earnest anti-slavery action against the rebellion, seen especially in their harsh exclusion of those officers who have most severely smitten the rebellion with the weapons of freedom, holding some of them to this day under its feet, while their pro-slavery rivals are caressed and trusted with the guidance of affairs. 7. When, under the resistless pressure of public sentiment, they yielded to make the war effective and effectual by making it anti-slavery, the execution of that policy was committed to its enemies rather than to its friends, as though soliciting its defeat, as they had first to be converted and then educated before that policy could have a fair trial. 8. Recalling Gen. Butler from New Orleans, nobody can tell why, unless because his presence there was injurious to slavery, and sustaining Gen. Banks there, truckling to slavery in opposition to the local movement for immediate emancipation and a Free State!

Is slavery so essential and freedom so dangerous to our Republican Government, that the Administration, in waging a war for its maintenance, must favor the former and resist the latter? The atrocity of these acts which have no excuse in any law of Congress, or want of any law, is greatly palliated, I am happy to admit, by other acts of a very different character, and the bad are fitfully yielding to the better. But why such clumsy blundering into the right? Why this fluttering equivocation? Honest? Certainly they are! Just as honest as Charles Sum-

ner ; and so, perhaps, are Horatio Seymour, and Fernando Wood, and Vallandigham. Men may be honest, and yet do exceeding wickedly ! The slave trade was as horrible in the hands of the pious John Newton, as when the civilized nations declared it piracy. We are not discussing a question of moral character, but one of political right and sound policy. The facts above recited have gone to history. We might do great injustice in fixing the personal responsibility of their existence. I am content to charge the whole fault to the monstrous dogma of the constitutionality of slavery in the states. Whether that dogma be true or false, it alone has made it possible for slavery to attain its audacious power, and for the nation to defend itself in so pusillanimous and absurd a manner. Believing it, as it will be hereafter proved, a dishonorable imputation upon the founders of the Government, and an invention of ambitious demagogues, the question is respectfully submitted to the American people, Will they consider this matter without prejudice, and will they redeem their Constitution and Government from the ruinous control of this unworthy sentiment ?

THE DISABLING PLEDGE.

In the outset of the war, it required no shrewdness to perceive that our only sure salvation lay through the utter destruction of slavery. But Mr. Lincoln and his Administration were pledged, willingly, by the Chicago platform, by resolutions of Congress, and by his Inaugural, to certain supposed rights of slavery under our constitution ; and they

had not sufficient genius or courage to take the forfeiture of that pledge at the hands of rebels. Their adhesion to this sentiment has made them unequal to their task—gave us almost unmixed disaster for a year and a half, and very slow success since. Feeling bound to the “double duty” of sparing slavery and destroying the rebellion, they have done neither. When slavery fired on Fort Sumter, the people were ready for its destruction; when the Administration snatched Fremont’s sword back from its quivering vitals, every loyal heart throbbed with indignation. Though the Administration, fearing he would do up the work too quickly, and too thoroughly, or for *some other reasons!* keeps him hidden and inactive; no other name in the bright constellation which the night of our distress has revealed, is so cherished in the grateful American heart as that of JOHN C. FREMONT. Modest and patient, sage and hero, discreet in counsel, successful in action, with breadth of mind like an empire, providing for every detail, anticipating every emergency, and every element of his majestic character energized with incomparable executive force, he personifies, as no other man does, the genius of American Liberty. His very name the symbol of success, and long alliterated with freedom in the aspirations of the struggling millions both North and South, it was fit that he should make the bold and glorious initiative of saving the Government, by the destruction of its mortal foe, Slavery!

WHY IS IT SO ?

Why is the Administration so left-handed ? Why has it served freedom in so pro-slavery a manner ? Why do our arms succeed in proportion to their remoteness from Washington ? Why does the Administration neutralize itself by retaining in its service, all over the country, men who jeer at its most effective measures against the rebellion ? Not that the people need such a policy : they have been constantly in advance of the Administration, and ready, Washington favoring it, to trample out treason and slavery in any three months since the war began ; nor the semi-traitors North or South : efforts at conciliation have only made them more hostile, while the heavy hand of just authority alone has restrained their treasonable machinations. The spring of evil has been internal, not external, to the Administration—the same in kind but less in force that has caused the nation, for thirty years, to foster and strengthen its menacing foe, when it should have destroyed it ; that held the Buchanan Administration passive, sniveling over its impotence. The cause that has made the rebels powerful to assail, has made the Administration weak to resist : that cause, as before stated, is the unworthy view of our Constitution that regards it as embracing the hostile forces of slavery and freedom, and the latter, within state lines, subordinated to the former. A million manly lives, a billion dollars, distress of countless families for indefinite years to come, are

but part of the cost to our own nation of that false dogma. The moral force of the loyal states has been taxed to the utmost to invigorate the Administration, puzzled with the complex problem of national unity and state slavery, and their material force, to cope with the rebellion. Hence the war, which the right sentiment, vigorously used, might have prevented, or closed in a few months, has dragged heavily through three years. Under cover of the constitutional right of slavery in the states, the rebellion masked its incipient growth. The same sentiment is still its strongest fortress, from which, in the Administration, in Congress, in both political parties, in the loyal press, it defies the national arms. This sentiment shielded nearly half the rebel territory from the Emancipation Proclamation, making that a magnificently sonorous document, but yielding very small present advantage to the national cause, because nearly all the slaves it declared free were beyond our reach, while it left in slavery those within our control. Was that Proclamation made thus impotent, and apparently, not really, insincere, to avoid imitating the revoked practical order of Gen. Fremont, freeing the slaves within his lines and turning them to immediate use in extending his lines? With Fremont, our eagle would not tolerate slavery in its presence; with the President, it would not tolerate slavery *but* in its presence, where, under its wing, the master might torture his slave and concoct new treason at his leisure! Mr. Lincoln has been laborious, patient, good-natured, and honest—most excellent qualities, but not very potent against slave-holders and rebels—these we

•

want, but we want also the clear, quick judgment, the iron energy, the resistless will, the all-powerful love of impartial freedom and justice of Fremont and Butler. It has, without doubt, cost the nation more blood and treasure to educate its officials as to the nature and rights of slavery, than would have sufficed to subdue the rebellion, had their convictions been in the beginning what they now are. That they were not, is chargeable to the political heresy combatted in these humble pages—a heresy that has doubtless tormented them as much as its fruits have chagrined their friends. Had slavery been regarded as existing by mere sufferance, without constitutional protection, its victims would have been promptly turned, with crushing weight, against the rebellion.

“SCOTCHED, NOT KILLED.”

Any and all the schemes yet proposed by the Administration and Congress, may only “scotch, not kill” the rebellion—prune, not pluck up, the tree that has borne the fruit of discord. When slavery existed in all the states but one, it was not so strong as when existing in only half of them. So, if the number of its states shall be reduced to five—the five border and slave-rearing states—that may leave it sufficient base from which to project new empire over freedom. Slavery is not so modest as to be waived out of being by civil blandishments. It knows how to whine, as well as to swear. If, whipped in the trial of arms, it shall fawn at our feet, our generous forgiveness will know no bounds. We shall be quite unlike our former selves, if we do not

give back all its states for a promise of peace. It will only be necessary for the Supreme Court to say—and which will be in harmony with its past suppleness to slavery—that the anti-slavery acts of the Government under Mr. Lincoln were mere military measures whose force expired with the war, and we should be back in the old ruts again on the way to another such war. Rebel sympathizers rely on that Court for this reaction. The history of politicians shows them to be frail as other men, and suggests the wisdom of removing all possible temptation to again imperil our liberties for the votes of slavocrats. This cannot be done, and leave slavery one foot of territory under our national banner. The nation, for its own life, must not allow its implacable foe a single asylum under the fiction of “state sovereignty.” It is not safe to wait longer the tardy, doubtful action of states in league with him. The nation, with its own strong arm, must at once pursue and slay him at his very altars. Nothing less is safe.

ACKNOWLEDGMENTS

For the many good and noble deeds of the present Administration, for its vast improvement upon its predecessor, especially for the pure and skillful management of the national finances, we feel profoundly grateful. That some of its members were so biased or so constitutionally disposed as to disqualify them for the work they assumed, and that they should fail to perceive their unfitness, is, perhaps, not their fault. With even such leaders, liberty has made handsome progress, and again vindicated her intrin-

sic superiority over slavery. Their war policy provokes a recollection of those honored ancestors who were wont, as the story goes, to balance the grist in one end of the bag with a stone in the other. Better go to mill so than not at all. But it has not occurred to their descendants to erect a monument to their sagacity in *carrying the stone*! Their *radical* common sense has discovered a safe way of dispensing with the *conservative* stone. There has seemed to exist at Washington some evil alchemy that has turned the efforts of the nation into ashes—some spirit of mischief which the Administration could not or would not exorcise. Those Augean stables were only partially cleansed when Mr. Buchanan vacated: the process will need to be renewed at the close of the present term. Freedom is entitled to at least one generous Administration in her favor. Her persuasive virtues have drawn so much of weal for us through grudging hands, and no evil having come of it, she should now be entrusted with the free reins of government for at least one term. Such a concession would be a worthy tribute to the soldiers of our magnificent army, who, going from their free homes at the North, have become more earnest for freedom in the very homes of slavery. Most nobly have they defended the Government, not only in the strife of arms, but also in urging the pace of that public sentiment for freedom which is more potent than material weapons. The martial genius of liberty was never so beautifully illustrated as in the countless sympathies between our army and its homes; they alive with activities to make it equal to its sublime mission, and its

patriotism and heroic bravery even exceeding our high expectations.

The nation owes to the colored race an infinite debt of gratitude and service. Our life has been in their hands, and they have preserved it; they have been to us as David to Saul. If we fail to requite them with full and impartial freedom, an infamy will cover our name, in all time to come, deeper and blacker than that which now darkens it for our complicity in their past oppression. They have borne themselves with faultless honor; always true, always equal to the occasion; biding their time with the sagacity of statesmen, they have winked at the gross indignities of the Government toward them, and staked their chances on the logic of the struggle; and its progress justifies their wisdom. In our extreme peril, forsaken of all our friends, they alone stood faithful—four million natural allies, dispersed through the enemy's country, and holding in their hands his very life, yet bound to us with unconquerable sympathies, and ready to risk every thing to help us and ruin him. Confessing them our true, essential, and sufficient ally, it is a marvel that we could be so penurious, so unfriendly toward them, possible only from the tuition of slaveholders.

GRATUITOUS ABASEMENT.

A few lines on the Constitution will suffice to show how gratuitous has been our prostration before the slave power. Able and elaborate works are accessible to all, abundantly vindicating that noble instrument from complicity in human slavery : hence we need only notice briefly—

I. THE CONSTITUTION NEEDS NO AMENDING.

Those who have administered the government in the interest of slavery, may think criticisms of the venerable dead, by way of amending the Constitution they gave us, cheaper than political repentance. But the only serious defect pertaining to that instrument on this subject, is in its interpretation, not in its letter. Good proof of this is the fact, that the engineers of the rebellion at first required amendments that should secure slavery against Federal power—an admission that the Constitution as it is, is for freedom and against slavery. Let us hold that vantage ground, and magnify and honor the freedom features of the Constitution, as we have heretofore its fancied features for slavery. A fair and just interpretation, by acknowledged rules, will place it squarely on the basis of liberty, without any damaging concessions to slavery. It does not restrain the arm of the nation from striking to annihilation any

foe, wherever he may lurk, that threatens its life, disturbs its peace, or hinders its welfare. It will make some suitable amends for our past service to slavery, if we now, by virtue of that Constitution that has been perverted to oppression, shall crush out that oppression and vindicate the founders of the government from the foul aspersion of making a Constitution to legalize human bondage, by establishing impartial freedom in all the land by the Constitution as they gave it us. We may safely accept the challenge of the Rebellion's procurers, "*The Constitution as it is!*" Let the government but be as pure as that sublime instrument is, and slavery will not last a week. The Court, the Executive, the Congress, will each and all find in it not power only but duty to strike the fetters from every slave, claimed by rebel or loyal master, in faithful or "wayward" States. We cannot now afford time to amend the Constitution; an attempt to do it is an admission that the government is fatally defective; it will complicate the situation. Yet, if the government will not do its duty without, let the Constitution be amended.

II. IT GIVES NO LICENSE TO SLAVERY.

We should not concede a right to so grave a wrong as slavery, unless compelled to it by the plainest language. By the simplest rules of law, all possible inferences even would be turned against instead of for slavery, it being essentially inhuman, unmerciful; but we can be very liberal, and yet carry our suit against slavery in the Constitution. Then—

1. Slavery, by confession of its friends, is lawless

even in the States where it exists. When the Fugitive Slave Bill was under discussion in the United States Senate, in 1850, Senator Mason, of Virginia, objecting to a trial by jury because it implied the right to inquire if the fugitive was held to service or labor in the State from which he escaped, by the laws thereof, said :

“ A trial by jury necessarily carries with it a trial of the whole right, and a trial of the right to service will be gone into, according to all the forms of the Court, in determining upon any other fact. Then, again, it is proposed, as a part of the proof to be adduced at the hearing, after the fugitive has been recaptured, that evidence shall be brought by the claimant to show that slavery is established in the State from which the fugitive has absconded. Now this very thing, in a recent case in the city of New York, was required by one of the judges of that State, which case attracted the attention of the authorities of Maryland, and against which they protested. In that case the State judge went so far as to say that the only mode of proving it was by reference to the Statute Book. Such proof is required in the Senator's amendment; and if he means by this that proof shall be brought that slavery is established by existing laws, it is impossible to comply with the requisition, for no such law can be produced, I apprehend, in any of the Slave States. I am not aware that there is a single State in which the institution is established by positive law.”

There being, then, on the confession of Senator Mason, no law in any of the Slave States by which slaves are held, there is nothing in the way of Congress making them free by law ; they being native-born citizens, the Court by rulings, and the Executive by force, should maintain their freedom, even without law of Congress.

2. Even admit that slavery is meant in every clause where its friends pretend to find it—which is far from the truth—their case is not helped.

(1.) The Representative clause does not require

the continued existence of slavery, nor forbid its abolition by Federal or any other power.

(2.) The Fugitive clause simply forbids the asylum state releasing the fugitive from his legal obligations; does not require either it or the Federal Government to aid in his rendition, nor secure the institution in State prerogatives. But the framers changed the word "servitude" to "service," in this clause, for the express purpose that it should not apply to slavery.

(3.) The Importation clause simply restrained Congress from prohibiting the introduction of such laborers as the States saw fit to import prior to 1808—did not forbid Congress nor the Courts enfranchising them as soon as they touched our shores; much less does it shield slavery in the States from Federal power. This clause clearly implies hostility on the part of the Constitution and the Federal Government against slavery, and the power to overthrow it.

(4.) The States "reserved" no right to do wrong. They merged their individual independence into the national unity, when they adopted the Federal Constitution, and entered into solemn compact, each with all the rest, to make and maintain that Constitution the supreme law of the land. They have agreed to make its spirit and purpose their own. That Constitution is the crystalized wisdom of the Revolution era, the Declaration of Independence reduced to legal form. It is unequivocally for freedom, though some of the scales of the old formation still adhere to it. A faithful treatise on the "Constitutional Guaranties of Slavery in the States," would be like

the traveler's chapter on the "Snakes of Iceland," whose entire contents were, "There are no Snakes in Iceland!" The guaranties are all on the other side.

III. THE GUARANTIES OF THE CONSTITUTION FOR LIBERTY FORBID THE TOLERATION OF SLAVERY.

Our history, as well as that of other peoples, has demonstrated that slave labor and free labor are so incompatible with each other, that they cannot co-exist peacefully under the same government. Aware of this, the founders of our government planted its broad foundations on the enduring basis of free labor, and provided that its whole magnificent structure should grow to its sublime proportions under the hand of intelligent liberty. Mr. Madison, one of the framers of the Constitution, embodies in these few words, the sentiment of that Convention, and which pervades that instrument :

"It is wrong to admit into the Constitution the idea that there can be property in man!"

1. The Preamble, which is certainly better authority as to the intention of the framers than any subsequent decisions of courts can be, declares that the Constitution was ordained to "*secure the blessings of liberty* !" This is the expositive guide for Congress, Court, and Executive, in elaborating government from the Constitution. They are charged with the solemn duty to make the blessings of liberty secure, not in a part, but in all the United States ; not to white men only, but to all men who make this country their home. We all know that slavery has

made the blessings of liberty extremely insecure, without distinction of race : where it exists, the white man is but little less a slave than the black chattel. Hence the government of the United States cannot reach the purpose of the Constitution, so long as it tolerates slavery.

2. The Constitution makes it the express duty of the United States to guaranty to every State a "republican form of government." The institution of slavery is as incompatible with a republican form of government as a monarchy would be. This clause is not permissive, does not grant a privilege ; it is imperative, enjoins a duty : "*The United States shall guaranty !*" The people of all the States have made the nation the guardian of the several States. If any state adopt, retain, or tend toward a government anti-republican in form, the nation must overhaul it and compel it to be republican. This power—and its exercise—is essential to the national safety. Without it, the government might be wholly changed or destroyed by piecemeal. When it became apparent that any of the States had determined to disappoint the hope of the founders of the government, by clinging to slavery and making it a political power, then should the Federal Government have stepped boldly forward, and not only arrested its progress, but made its early destruction sure. The neglect of that duty having allowed the slave power to reach its natural culmination in civil war, to do by force what it could not do by political strategy, will the authorities of the United States now rightly interpret the fearful lesson of the last three years, and "guaranty to every State in this Union a republican

form of government ?" or, will they still court shame, and discord, and ruin, by leaving slavery in the border States, and liable to regain the rebel States ?

3. Congress, being specially charged with the power to "provide for the common defence," may remove anything that threatens the common safety. Slavery has always been regarded as an element of national weakness, exposing us to foreign invasion and domestic insurrection ; has been vehemently threatening the nation's life for thirty years, and is now trying to execute that threat ; yet Congress hesitates, and spares the assassin vested in fancied State privilege.

4. Congress is also charged with the power to provide for the "general welfare." Slavery, making labor dishonorable and property insecure, and corrupting private and public morals, is essentially at war with the general welfare ; hence Congress cannot provide for the general welfare, and allow slavery to exist in any part of the country. Seeking the common defence and the general welfare, the power of Congress to abolish slavery in the States is as clear as its power to build a fort, improve a river or harbor, or construct a road in a State. The exercise of this power need not wait the explication of the *status* of the rebel States : they must be conquered, whatever their *status*, and this will help do it.

5. *The Amendments.* Careful as the Constitution is not to legalize slavery, and clear and forcible as it is for freedom, yet, lest it might possibly be perverted against liberty, the government had scarcely gone into operation under it before amendments were pro-

posed and adopted to make still more secure the freedom of speech and the press, and the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, and providing expressly that *no person shall be deprived of life, liberty, or property without due process of law*. Slavery makes all these provisions nugatory, not to the enslaved only, but also to all who presume to speak against their enslavement. Had the Constitution in the plainest language tolerated or even guarantied the existence of slavery, these amendments would require its abolition : much more since the Constitution itself is so emphatically against slavery and for freedom. These provisions bind the Federal Government in the most solemn and imperative manner, to protect every person subject to it and innocent of crime, regardless of color, caste or nationality, in the enjoyment of the blessings of liberty. Congress must legislate for it ; the courts must rule for it ; the Executive must administer the government for it. Failing this, and leaving one slave to curse and dishonor our name, the government fails to do what the Constitution requires of it.

After this concise examination, the case may be stated in few words, thus : The Constitution contains no express provision protecting slavery, the limitations of the powers of the government, and the reservations of privileges to the States, have no reference to it ; while the clearly defined duties of the government, and the many carefully worded provisions guarding the rights of personal liberty, forbid its toleration : hence the pleaded constitutional ina-

bility to abolish slavery in the States, must be regarded as a mere excuse to cover a disinclination to have it done.

HOW TO DO IT.

The people can, if they will, remove this disinclination. Let them say by their ballots, in a manner so plain as not to be misunderstood, that the occasion for this war must be cut short at once, and its repetition made impossible, that their rights shall hereafter be as secure South as North, that the unoccupied lands of the South as well as of the West shall be opened to honorable toil, by the immediate and entire abolition of slavery; then their official servants will see new light in their Constitution, and cease evading duty by talking of amendments they do not want to make. With politicians, elections are the only authoritative expositions of the Constitution. Make the members of the present Congress believe that re-election depends on their passing at this session a law abolishing slavery in all the States, and their constitutional scruples will soon vanish, and they will fill the land with campaigning documents of the most radical type. It was not defeat, but elections, that relieved our brave soldiers from the degradation of slave-hounds. Not argument, nor squandered treasure, nor wasted life, will lift politicians from their knees before the slave power; but the people's votes will do it! If they spring on us nominations that will keep us in the road toward national imbecility, let the people use their primary right to nominate and elect men who will arrest this

tendency, and put the government practically on its nominal policy of freedom. When the friends of liberty show a stronger and more persistent combination than the friends of slavery, then, and not till then, will our danger be past.

THE NEXT PRESIDENCY.

THE Presidential canvass cannot be deferred: nominations are already being made, and we may have three or four candidates in the field.

1. Let there be free discussion, but without bitterness, and with an inflexible resolve on the part of all loyal men, that whoever the successful candidate may be, he shall be inaugurated, and unless impeached, generously sustained through his term in such policy as he may adopt.

2. The Executive patronage is so great—the President holds so many official dependents at his control—it is unsafe to our free institutions to entertain *claims* for a second term. We elect for four years, and when that time is out, the incumbent cannot by any possibility have any further claim in that direction. If his friends insist that he is “entitled” to retain power, prudence dictates his displacement for that reason, if for no other.

3. Mr. Lincoln is one among many men who are eminently qualified for that high station. His advantage over others on the score of experience is counterbalanced by their freedom from obligation to make his mistakes appear consistent. As to the justice or economy of retaining him to “finish the job on hand,” it is well known that he was not the author of those measures that have proved successful in the war, but that he resisted them for a long time. If his extreme leniency was serviceable till

the cause and nature of the war were developed, the time for that quality is long past. By general consent, we are all ready now for stern, vigorous, prompt Executive force, that shall bring the Rebels to their knees in the shortest possible time—gifts in which Mr. Lincoln's good nature is defective.

4. If the people shall decide to place the helm of state in other hands, we shall see Mr. Lincoln vacate office as loyally as ever man did. He will not, as his predecessor did, embarrass the accession of his successor; neither will his interest in and active support of the Government then cease. He will reciprocate the patriotic support he has received from others.

5. We shall not retrograde. Either Mr. Lincoln will be our next President, or some other man who the people think will be more radical and earnest than he. The loyal men of the South are intensely anti-slavery; and the loyal people of the North are unwilling that the Government shall longer oppose them and conserve the cause of our national misery. There is but one issue before the American people, and that is slavery; and that issue will go into the election in this form: Shall Slavery be dispatched at once? or, Shall it be spared awhile and killed tenderly? A short or long war depends on the short or long life of Slavery. If that issue is allowed to go fairly before the people, their unanimity for the immediate destruction of Slavery will astound the temporizers. The nation is thoroughly determined that the Government shall live and that Slavery shall die

6. The two most prominent candidates before the public mind, are Mr. Lincoln and Gen. Fremont. Mr. Lincoln has the advantage of possession, which, at the present time—so enormously has the Executive patronage been swollen by the war—is an immense one. It is also urged in his favor that the effect upon the rebels and upon foreign governments will be better if we retain him than if we elect any other man ; also, that though he has failed in many things, another man may do worse ; and still further, that an effort on the part of Republicans to elect any other than Mr. Lincoln, may divide the party and give the election to the Democrats. As to which—

(1.) It is worthy of serious consideration, whether, to prevent the prostitution of patronage to retain power, and to secure more faithful attention to public duty, it would not be better to adopt and rigidly adhere to the *one term* principle in reference to the Presidency.

(2.) If the people put the Government in other hands in order to secure more vigor in its administration and in its defense against the rebellion, the effect will be most salutary, showing that the people are determined that this Government shall neither be destroyed by treason nor frittered away by Executive imbecility.

(3.) Intelligent men are not apt to act “fox in the bramble” in their own affairs : they do not hesitate to dispose of a poor article for fear of getting a worse in its place. I think there is really no danger on this point : the people, though they have done it more than once heretofore, will not, this time, elect a novice in public affairs. The war has thrown upon

the canvass a galaxy of splendid men, tried, capable, and heroic. From these the people will choose one to guide the State for the next four years. They will not accept a lower type of man than Mr. Lincoln, much less one of doubtful loyalty.

(4.) But if an effort to put the Government in better hands should result in dividing the Republican party, and giving the election to its rival, the fault will be theirs who have tried to forestall public opinion in favor of the present incumbent. But I think there is no danger of that.

If the question be put on the real value of the two men, not one Republican out of a hundred, within my acquaintance, except place-holders, will fail to say, "*Fremont is my first choice*," and many Democrats say the same. He is generally regarded as eminently fitted to conduct the Executive Department of the Government, especially in such times as these. None doubt that his Missouri administration was just what was needed there at the time; and that, though public opinion may not then have been ready to make so advanced and vigorous a policy national, Mr. Lincoln should have allowed him to work it out in his own department, in his own way. Being commander of a department, he adapted his policy to his department, and the nation approves its wisdom: if he were President, he would adopt a policy as aptly national.

7. Till the National Conventions meet, it is not only the privilege but the duty of every citizen to do what he can to make public sentiment what he thinks it ought to be, in order that his preference may be answered in the election; but when matters

have so far advanced that individualisms may jeopardize the public good, personal choice must be merged in the general sentiment, to get the best that can be had under the circumstances.

8. Both the existing parties, having been organized before the war, are pervaded, more or less, with the old leaven that wrought out the Rebellion; neither of them embraces all the loyal strength of the nation. Hence parties and their policies need revising, to adjust them to the living issues of the times. But parties seldom reform: usually reformation can be reached only by the formation of new parties. There is, therefore, but little hope that either the Baltimore or the Chicago Convention will rise to the needs of the times. It is respectfully suggested, however, that the case may be fully and honorably met by calling a National Convention, to meet subsequent to those at Baltimore and Chicago, say about the first of August—and what place more suitable than old Independence Hall, Philadelphia?—to take such action as shall secure the co-operation of all loyal citizens. By that time, better than earlier, we can make up our minds who ought to be President. Let us, by all means, put our *best* man, whoever he may be, at the head of affairs.

THE SOVEREIGN POWER.

The sovereignty of the American people culminates not in the President, nor in the Supreme Court, but in Congress. The Executive and the Judicial departments owe their existence to, and are dependent for the outlines of their legal formulas of action

upon, the Legislative department. Hence the propriety of the doctrine urged in these pages, that, inasmuch as slavery has come to be generally regarded as a great national evil, inimical to the prosperity and happiness, and endangering the existence of the nation, it should be abolished by act of Congress. It is respectfully submitted that Congress alone has jurisdiction to reach the whole case in all its bearings. The action of individual states, of the Federal Executive, or of the Federal courts, must necessarily be partial, not general, and therefore inadequate. Nothing short of a well-considered Act of Congress, taking cognizance of all the conflicting interests involved, can reach and relieve us from the great difficulty of our situation. To question the power of Congress to do all that may be necessary in the case, is to question the right of the people to self-government; and, in such a case as this, the power to act implies the duty to act.

Until the people are ready to put men in Congress who will do their duty on this question, it is useless to hope for a safe settlement of our troubles. Members of Congress lay this work at the President's door, because they fear their constituents would not sustain them in doing it themselves; and the President very plausibly excuses himself from it, to avoid trenching upon legislative prerogatives. So, between them, the work is neglected, and the nation suffers

PLEDGE FOR FREEDOM.

As the present Administration has been exceedingly crippled by having been pledged to "sectional" slavery ; so let the next be helped by being pledged to full and impartial freedom. Let the platform builders have courage to speak the truth in this matter. They may be sure that the people are as radical as they wish them to be. You will not find a man so base or so bold as to say, that he wants slavery to survive this war. If politicians were as "ready" as the people are, the whole weight of the government would be thrown upon the monster to crush it to instant annihilation. Then its released victims, whether master or slave, may be cared for as prudent statesmanship may dictate. Let there be no cheating, no covering up, no round about evasions, under pretense that "the people are not ready." Those who make this plea are the only ones who are not ready. Not a man will confess *himself* unready. Let each regard others as he would be regarded in this respect, and the difficulty is all over ; we shall go right to work, as one man, to do what all claim to want done. We have, at immense cost, parried this issue, which the friends of slavery have thrust upon us. Let us now accept it, and bury the accursed mischief beyond the reach of resurrection. Let this task be distinctly laid upon the next Administration.

Let no man be accepted as a candidate who does not plainly enunciate this Shibboleth. We cannot afford another four years of indecision—should not risk our votes on men whose minds are not already made up on the great issue of the time—Slavery, or no Slavery! After our long and costly tuition, whoever hesitates, whoever has not reached the *roots* in political economy, or dares not touch them lest he be called “radical,” is unworthy the suffrages of freemen. We have had politicians in office too long; they have led us to this verge of ruin. Let us now see if we cannot elect statesmen who will make justice and right the guiding principles of their official conduct—who will swear, and then do it, to rescue our government from its taint of barbarism.

But let us put this pledge on better ground than “*military necessity*,” and redeemable by a safer power than the sword. Our normal condition is peace. Slavery is a great civil wrong. We degrade ourselves by confessing that we can eliminate it only by the sword. Assert the true character of the Federal Constitution, and the peaceful power of the government to abolish slavery in all the States, and we shall estop the most plausible excuse for a dilatory war, and be at liberty to exterminate what may be left of slavery when the war shall close.

Gracious requital to the fair South for her insensate cruelty toward us! Under Freedom’s wand, foreign industry and wealth will crowd to her genial and ample area; her noble rivers and her spacious harbors shall be alive with commerce. Interested toil, honorable alike in white or sable hands, shall make gardens of her desolations. Science and the gospel

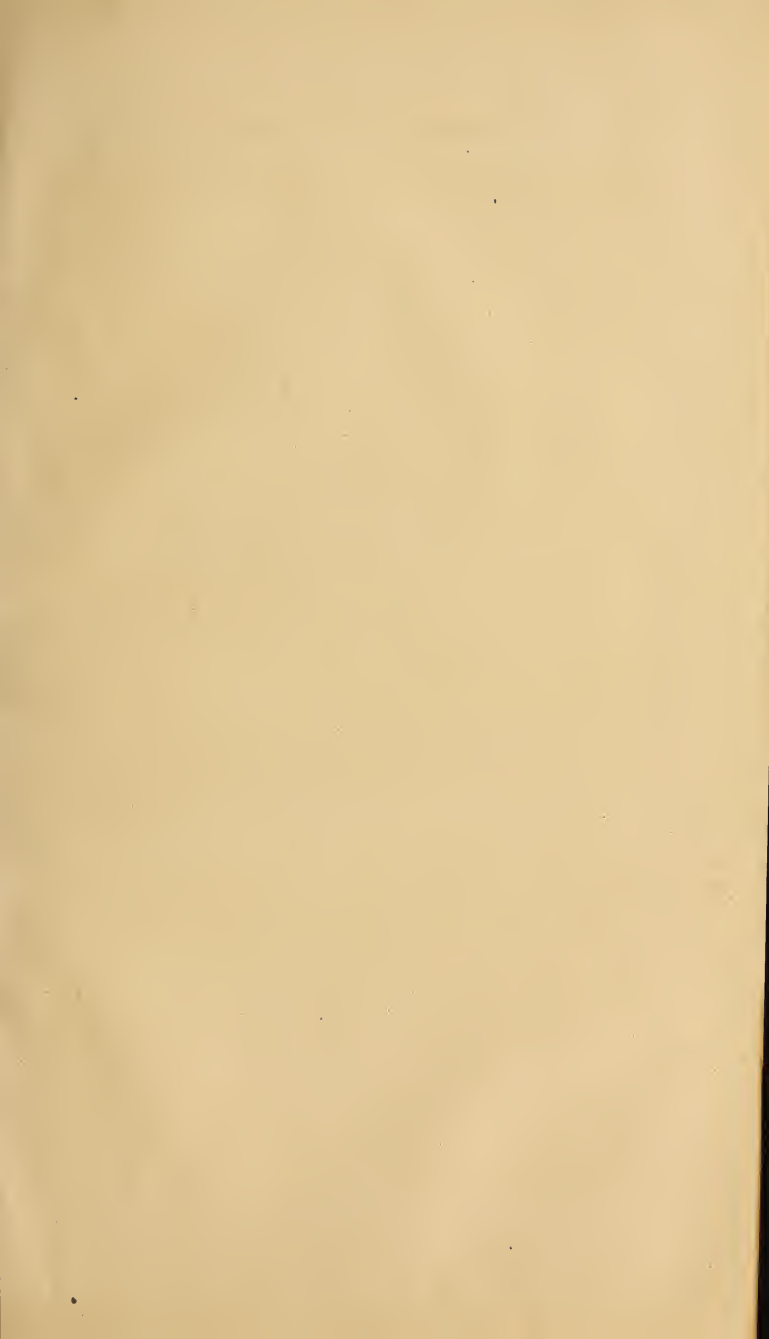
shall awake genius and skill, and labor, with thought, shall evoke from her mountains and her valleys, her plains and her rich alluviums a wealth, and construct a power infinitely surpassing all her dreams from unpaid toil. And every field where sleep our lovely fallen, shall echo only to the footsteps of the free, whose grateful songs shall consecrate in sweetest numbers the memory of those who died that a nation so glorious and beneficent might live.

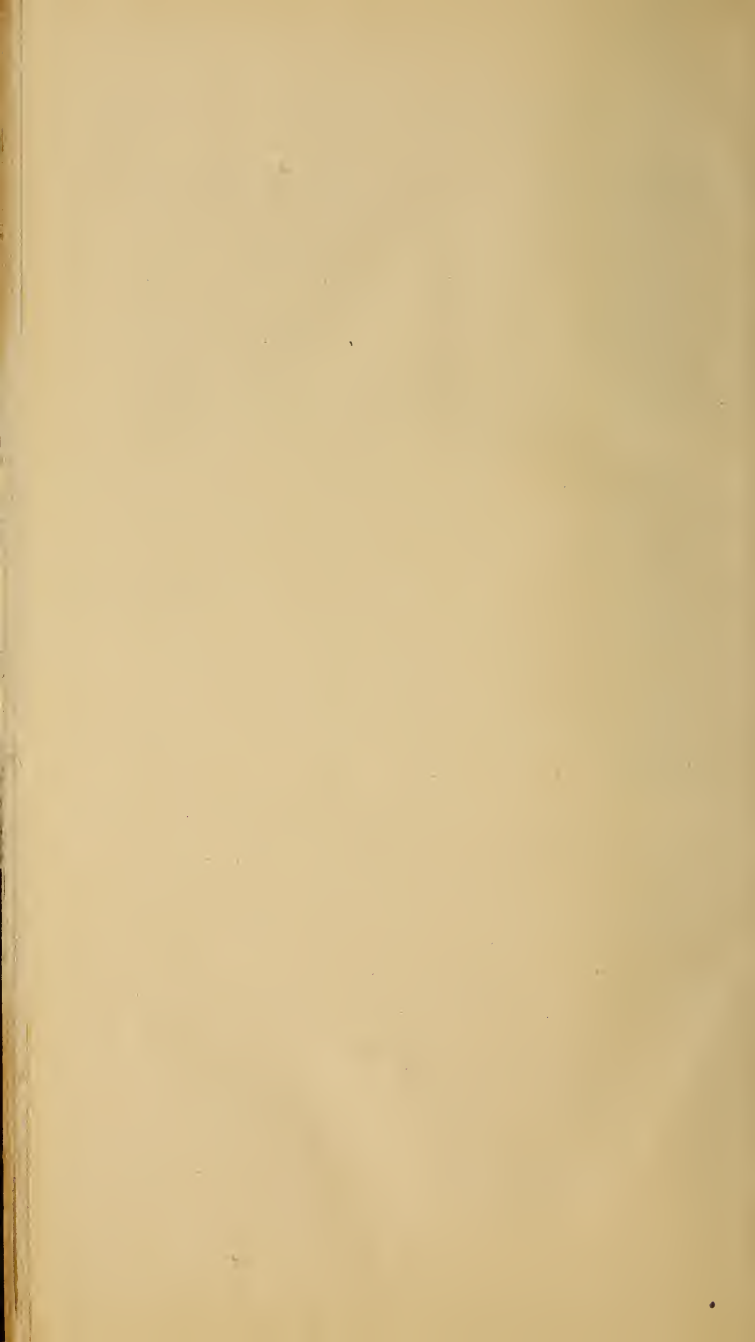
No 14

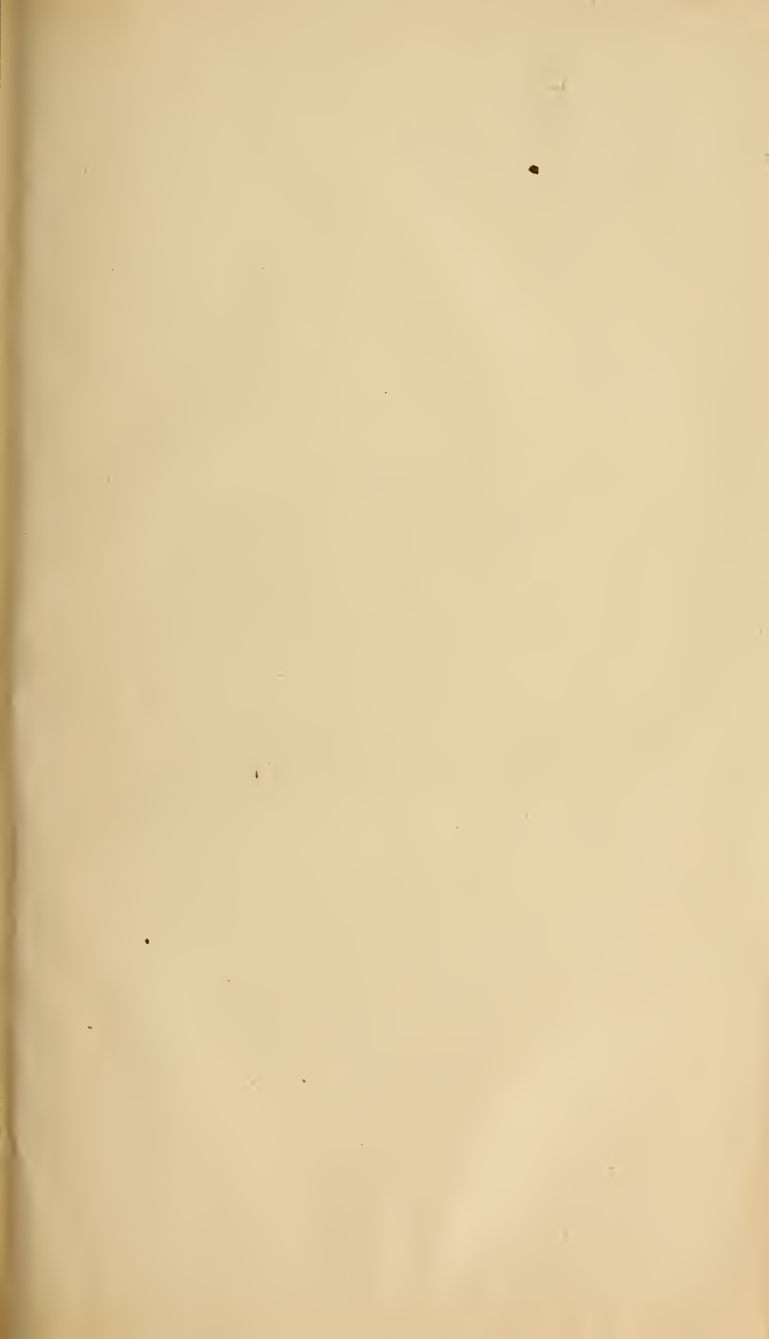
Received and filed and
entered Feb 23 1864
Lewis Porter
clerk

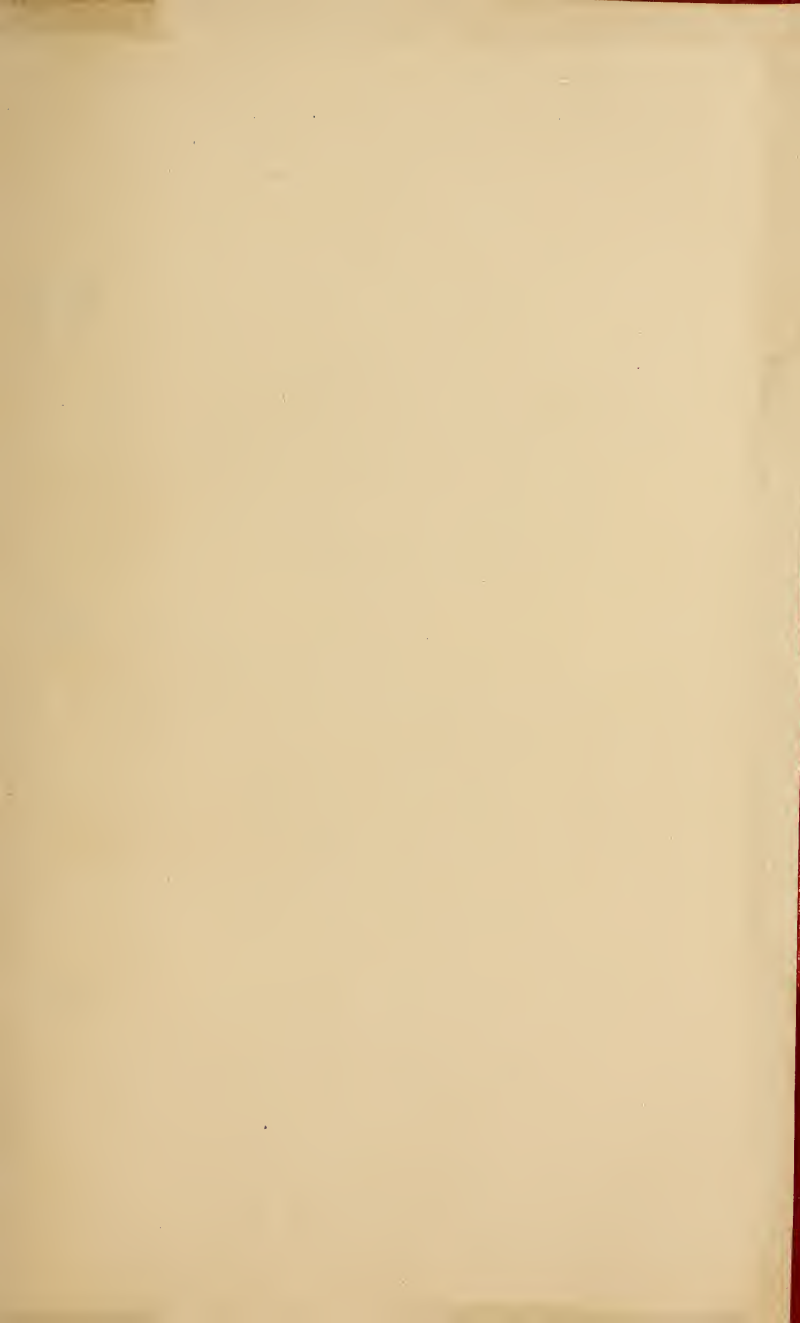


In L.









LIBRARY OF CONGRESS



0 012 027 973 7